

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>WILLIAM CROWLEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 06-cv-0066-MJR</b>
	)	
<b>PFIZER, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

REAGAN, District Judge:

In December 2005, William Crowley (an Illinois citizen) sued Pfizer, Inc. (a New York citizen) in the Circuit Court of St. Clair County, Illinois. Crowley alleged that he sustained personal injuries (including a heart attack and a stroke) and “economic damages” as a result of ingesting a defective/dangerous prescription medication manufactured by Pfizer – “Bextra.”

Pfizer timely removed the case to this Court in late January 2006. Subject matter jurisdiction lies under the federal diversity statute, **28 U.S.C. § 1332**. A discovery Order has been entered, and the case has been assigned an April 2007 trial date.

By motion filed March 8, 2006, Pfizer asks the undersigned Judge to stay all proceedings in this Court, pending transfer of this case to the United States District Court for the Northern District of California, as part of coordinated pretrial proceedings in MDL-1699, *In Re Bextra and Celebrex Marketing, Sales Practices, and Products Liability Litigation*.

Although cognizant that the Judicial Panel on MultiDistrict Litigation (“MDL”) has issued a conditional transfer order, the Court **DENIES** the motion to stay all proceedings (Doc. 11).

The undersigned District Judge generally does *not* stay pretrial proceedings pending

MDL transfer. **FEDERAL RULE OF PROCEDURE OF THE JUDICIAL PANEL ON MULTI-DISTRICT LITIGATION 1.5** provides that the pendency of a motion for transfer to the MDL “does not affect or suspend orders and pretrial proceedings in the district court in which the action is pending and does not in any way limit the pretrial jurisdiction of that court.” Similarly, the **MANUAL FOR COMPLEX LITIGATION, Federal Judicial Center, § 20.131 and § 22.35 (4<sup>th</sup> ed. 2004)**, states that during the pendency of a motion for MDL transfer, the court in which the action was filed retains jurisdiction over the case and need not suspend proceedings.

The Court declines to stay the matter but will closely monitor any further orders from the MDL Panel, including any final transfer order which may issue herein.

**IT IS SO ORDERED.**

**DATED this 9<sup>th</sup> day of March, 2006.**

**s/ Michael J. Reagan**  
**MICHAEL J. REAGAN**  
**United States District Court**